

**Summary
of
Agency Responses to the
2003-2004 Grand Jury Final Report**

The Last Word

The Santa Barbara County Civil Grand Jury is an investigative body that issues a Final Report to the public at the end of its term in June. During its year of service, the Jury conducts investigations or inquiries into activities of city and county government agencies and special districts. The Jury also investigates citizen complaints made to the Jury concerning suspected government irregularities. In accordance with California Penal Code Section 933(c), each of the agencies and or government bodies affected or named must respond to the findings and recommendations made in the report.

There were eight individual reports in the 2003-2004 Final Report. These were submitted to 19 entities, resulting in 30 findings and recommendations requiring written responses. Section 933(c) of the California Penal Code requires that the responses from each named agency be submitted to the next Grand Jury within a specific time period. Elected officials must respond within 60 days. Public agencies have 90 days to formulate their responses. All responses were received in a timely manner.

The Jury used a matrix format to highlight the responses made by the designated agencies. While condensing the comments, the Jury kept the essence of the reply. The format will give the reader an easy view of specific responses. Full responses are available on the Grand Jury website at www.sbcgj.org. The public is encouraged to visit the website and read each of the responses in its entirety.

Each year, the Grand Jury makes a diligent effort to review government practices and to make findings and recommendations based on those reviews. It is a long and thoughtful process. The Jury expects each agency or board, especially elected officials, to take seriously the task of responding to the Jury's findings and recommendations. These officials are obligated to scrutinize the responses of their staff before adopting those responses as their own. In the event that the responding agency or board is in agreement with a finding but not in complete agreement with a recommendation, it is incumbent upon that agency or board to find a workable solution to the finding.

**SUMMARY OF AGENCY RESPONSES
TO THE
2003-2004 GRAND JURY FINAL REPORT**

Criminal Justice and Detention Facilities

<i>Los Prietos Boys Camp/Tri-County Boot Camp</i>	
GRAND JURY FINDING 1	AGENCY RESPONSE
<p>The facilities at the Boot Camp and Boys Camp are underutilized due to a lack of sufficient staffing. Beds remain empty.</p>	<p><i>Probation Department: Disagrees.</i> ". . . [A]t the time of the referenced Grand Jury inspection of the Boys Camp facilities, the programs were subject to waiting lists delaying the transfer of wards from the Juvenile Halls to the Camp. Although the Camp facilities are utilized less than in previous years . . . the primary reason for this reduction was the discontinuation of the Memorandums of Agreement between Santa Barbara, Ventura, and San Luis Obispo Counties. . . . Camp operations were reorganized and . . . downsized as of January 1, 2004, from 96 beds . . . to 75 beds. . . . [W]hen the facility was at a maximum capacity of 96 beds, only 71 . . . were utilized for wards from Santa Barbara County. After the downsizing . . . there was actually a net increase of four additional beds, since all of the current 75 Camp beds are available for wards from Santa Barbara County."</p> <p><i>Board of Supervisors: Disagrees.</i> "The Board adopted the Probation Department's response as its response."</p>
GRAND JURY RECOMMENDATION 1	AGENCY RESPONSE
<p>Funds should be made available to increase the staff at the Camps so that the additional placements can be made.</p>	<p><i>Probation Department: Will not be implemented.</i> ". . . Budget reductions within the Probation Department do not presently allow for the addition of more staff to the Camp programs. Should need arise to house more than 75 wards at the Camp, then additional staffing will be required. . . . [S]taffing levels for the current 75 bed occupancy at Los Prietos Boys Camp and Los Prietos</p>

Criminal Justice and Detention Facilities

	<p>Boys Academy meet the minimum standards set by the State Board of Corrections for staff-to-ward ratios within juvenile camp facilities.”</p> <p>Board of Supervisors: Will not be implemented. “The Board adopted the Probation Department’s response as its response.”</p>
<p><i>Santa Barbara Juvenile Hall</i></p>	
<p>GRAND JURY FINDING 1</p>	<p>AGENCY RESPONSE</p>
<p>The furlough program, which has been discontinued, was a positive activity that offered juveniles a positive work experience and provided a valuable community service.</p>	<p>Probation Department: Agrees.</p> <p>Board of Supervisors: Agrees.</p>
<p>GRAND JURY RECOMMENDATION 1</p>	<p>AGENCY RESPONSE</p>
<p>This valuable program should be reinstated when funds become available.</p>	<p>Probation Department: Will not be implemented. “The recommendation will not be implemented at the present time due to ongoing departmental budget reductions. . . . It is the intention of the Probation Department to reinstate this nonmandated work program when the local and state budget environments improve.”</p> <p>Board of Supervisors: Will not be implemented. “The Board adopted the Probation Department’s response as its response, with the additional comment: The Furlough program will not be implemented at this time but will be considered if or when additional funds became available.”</p>

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<i>Electronic Courtroom</i>	
GRAND JURY FINDING 1	AGENCY RESPONSE
<p>The installation of a video arraignment system would be a cost cutting and safety enhancing method of conducting the arraignment of prisoners in Santa Barbara County.</p>	<p><i>Public Defender: Agrees in part and disagrees in part.</i> <i>District Attorney: Agrees.</i></p> <p><i>Sheriff's Department: Partially disagrees.</i> ". . . [T]he actual cost savings of such a system is yet to be determined."</p> <p><i>Board of Supervisors: Partially agrees.</i> ". . . [T]he actual cost savings of such a system is yet to be determined."</p> <p><i>General Services/Information Technology Division:</i> "General Services is . . . not in a position to expertly assess the cost cutting or safety benefits of video arraignment."</p> <p><i>Superior Court: Agrees in part and disagrees in part.</i></p>
GRAND JURY RECOMMENDATION 1	AGENCY RESPONSE
<p>The Grand Jury recommends that a video arraignment system be installed in both North and South Santa Barbara County.</p>	<p><i>Public Defender: Disagrees.</i> " `Cost cutting and safety enhancing'. . . are not the only appropriate concerns. Interests such as Due Process, fundamental fairness, attorney client privilege, adequacy of counsel and legal confidentiality are among many additional appropriate concerns. . . . Cost savings resulting from video arraignments are yet to be determined.</p> <p>. . . [A] single arraignment court located at the existing jail could provide the desired savings and safety while maintaining actual human interaction between necessary parties.</p> <p>. . . Large percentages of cases can and should be resolved at the arraignment stage. Video arraignments hinder rather than facilitate this process.</p>

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. . . The Grand Jury's report focuses on cost and safety concerns. These values, while important cannot outweigh concerns for accuracy in communication, fact finding, bail determinations and legal representation. These would be met by an arraignment Court at the jail."

District Attorney: Requires further analysis.

". . . [E]valuation and feasibility of installing this technology will require further analysis and . . . some type of Criminal Justice Coordinating Council to implement the recommendation. This office is prepared to immediately join in the formation of such a Council and actively participate in making this a reality."

Sheriff's Department: Requires further analysis.

". . . Until a north county jail is constructed, transportation will still be required on a daily basis. . . . The definite benefit of this program would be the reduced ratio of inmates to officers. This will increase safety and security for both inmates and staff.

. . . [A] combination of an 'on-campus' arraignment court with video arraignment capabilities is being considered on the property of the main jail.

. . . We expect a staff report with this analysis to be completed by November 1, 2004."

Board of Supervisors: Requires further analysis.

"The Board adopted the Sheriff's Department's response as its response, with the additional comment: A study and a report will be made . . . before November 25, 2004."

General Services/Information Technology Division: "The General Services ITS division . . . is fully capable and willing to support a video arraignment system. In addition, the county's fiber optic based network infrastructure is well positioned to support high quality video transmission between campuses.

The users of a video arraignment system would also have the option of contracting the project to an outside vendor"

Superior Court: "The Court agrees that there *may* be some safety, and possibly

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	<p>some cost, benefits to the use of video systems for arraignment of prisoners, <i>in certain, ideal, circumstances</i>. The Court agrees that the possibility for future creation of special arraignment courtrooms in North and South County jail facilities is worthy of continued evaluation and consideration, and we will continue to participate in the evaluation effort for this The Court disagrees that there are any clear safety or cost benefits to conducting 'video conferencing' between remote arraignment courtrooms and jail facilities, and believe that there are likely legal and practical constraints that advise against this."</p>
<p>Early Release</p>	
<p>GRAND JURY FINDING 1</p>	<p>AGENCY RESPONSE</p>
<p>Different criteria are used to release male and female inmates when overcrowded conditions exist at the Main Jail in Santa Barbara County. Males are released based on the seriousness of the crime committed; females are released on time served only – "first in, first out."</p>	<p>Public Defender: Agrees. "The information provided to the Public Defender indicates that this Finding is accurate and reflects the current practice." Sheriff's Department: Agrees. Board of Supervisors: Agrees. "The Board adopted the Sheriff's Department's response as its response."</p>
<p>GRAND JURY RECOMMENDATION 1</p>	<p>AGENCY RESPONSE</p>
<p>The disparity between male and female early release criteria should be eliminated for the sake of equality and public safety.</p>	<p>Public Defender: Agrees in concept. ". . . Equal protection under the law for all persons is a fundamental right The Sheriff's Department would be the initial agency with responsibility for devising a system based on equal treatment for custody and release of inmates. . . . [T]he Jail Over-Crowding Task Force . . . is an appropriate group to offer input and suggestions for the implementation of a release program based on Equal Protection." Sheriff's Department: "The Sheriff's Department will request from the Superior Court a modification to the court order regarding the early release criteria for female</p>

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	<p>inmates in the main jail to mirror the release criteria for the male inmates in the main jail.”</p> <p>Board of Supervisors: “The Board adopted the Sheriff Department’s response as its response (Has not yet been implemented), with the additional comment: The Sheriff’s Department will request from the Superior Court a modification to the court order regarding the early release criteria for female inmates in the main jail to mirror the release criteria for the male inmates in the main jail.”</p>
<p><i>Carpinteria Station</i></p>	
<p>GRAND JURY FINDING 1</p>	<p>AGENCY RESPONSE</p>
<p>The Carpinteria Police Department/Sheriff’s Coastal Station is outgrowing the existing facility.</p>	<p><i>Sheriff’s Department: Agrees.</i></p> <p><i>Board of Supervisors: Agrees.</i> “The Board adopted the Sheriff’s Department’s response as its response.”</p>
<p>GRAND JURY RECOMMENDATION 1</p>	<p>AGENCY RESPONSE</p>
<p>Expansion or relocation, if not already under consideration, should be taken under advisement.</p>	<p><i>Sheriff’s Department: Has been addressed.</i> “The issue of adequate space for the Coastal Bureau Station is and has been addressed. . . . Cost estimates have already been obtained and we hope to proceed with the project in the new budget year.</p> <p>. . . We expect to complete this modification within the 2004-2005 Fiscal Year.</p> <p>The department has arranged for a storefront office in the Montecito area. . . .This alleviates some of the space needs at the Coastal Station and provides a visible presence of Sheriff personnel in the Montecito area”</p> <p><i>Board of Supervisors: Has been implemented.</i> “The Board adopted the Sheriff Department’s response as its response.”</p>

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<i>Coroner's Bureau</i>	
GRAND JURY FINDING 1	AGENCY RESPONSE
<p>There is no signage on Hollister Avenue at San Antonio Road, indicating the Coroner's Bureau location further down San Antonio Road (especially needed for bereaved clientele). The signage at the Bureau's driveway is also inadequate.</p>	<p><i>Sheriff's Department: Agrees.</i></p> <p><i>Board of Supervisors: Agrees.</i> "The Board adopted the Sheriff Department's response as its response."</p>
GRAND JURY RECOMMENDATION 1	AGENCY RESPONSE
<p>Place a county sign on Hollister Avenue at San Antonio road, indicating "Coroner's Bureau," and another at the driveway entrance to the office.</p>	<p><i>Sheriff's Department:</i> "The Coroners Bureau supervisor will contact the County Roads Department and research the feasibility of placing a sign on Hollister Avenue at San Antonio Road. The Coroners Bureau can also replace the current sign, at its driveway, with a larger sign."</p> <p><i>Board of Supervisors: Will be implemented.</i> "The Board adopted the Sheriff Department's response as its response, with the additional comment: The signs will be posted before November 25, 2004"</p>
GRAND JURY FINDING 2	AGENCY RESPONSE
<p>Staff time is not used efficiently while autopsies are performed at Cottage Hospital and there is a possibility of worker's compensation issues due to the current system of transporting corpses from the Coroner's Bureau.</p>	<p><i>Sheriff's Department: Agrees, in part.</i></p> <p><i>Board of Supervisors: Partially agrees.</i> "The Board adopted the Sheriff Department's responses as its response, with the additional comments: Although there may be a possibility of worker's compensation issues due to transporting corpses there still would be additional workers compensation costs for an additional Sheriff's Department part-time Morgue Technician. In addition, the level of efficiency of staff time used will be verified."</p>

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GRAND JURY RECOMMENDATION 2	AGENCY RESPONSE
<p>All autopsies should be performed at the Coroner's Bureau.</p>	<p><i>Sheriff's Department:</i> Full study should be made. ". . . [T]he issue of conducting autopsies at the Coroners Bureau, instead of Cottage Hospital, may not just be an efficient operation. At the present time, the \$175.00 cost to use Cottage Hospital includes the salary of a Cottage Hospital Morgue Technician and all other necessary equipment and supplies. . . . [A]n evaluation would have to be made to see if we would truly save money. . . . We would also have to check and verify if there are any State Health requirements . . . to adhere to, prior to conducting autopsies at our facility on a full time basis. We believe that a full study should be made prior to any change in our current procedure."</p> <p><i>Board of Supervisors:</i> "The Board adopted the Sheriff Department's response as its response, with the additional comment: A study and a report will be made . . . as to whether or not all autopsies will be performed at the Coroner's Bureau, before November 25, 2004."</p>
GRAND JURY FINDING 3	AGENCY RESPONSE
<p>The toxicology laboratory is only able to run a limited range of tests.</p>	<p><i>Sheriff's Department:</i> Agrees.</p> <p><i>Board of Supervisors:</i> Agrees. "The Board adopted the Sheriff Department's response as its response."</p>
GRAND JURY RECOMMENDATION 3	AGENCY RESPONSE
<p>All laboratory testing can be outsourced to a contracted facility at a savings to the county.</p>	<p><i>Sheriff's Department:</i> ". . . [T]he Toxicology Laboratory currently can only run a limited range of tests. . . . A current study of our laboratory's efficiency is in progress. . . . Part of the study is to verify how the laboratory should operate and what its capabilities are; the other part of the study is to research the financial benefits of</p>

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	<p>having a County laboratory versus sending all required tests to an outside contract laboratory. At the conclusion of the study, a recommendation will be made to either keep the laboratory, give it to another county department, or close it and send all required tests to an outside laboratory.”</p> <p>Board of Supervisors: “The Board adopted the Sheriff Department’s response as its response, with the additional comment: A study and a report will be made . . . as to whether or not laboratory testing can be outsourced to a contracted facility at a savings to the County, before November 25, 2004”</p>
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2004-2005 Grand Jury Comments: At the August 10, 2004 Board of Supervisors meeting, the Board adopted responses to three recommendations made in the 2003-2004 Grand Jury’s Criminal Justice Detention Facilities report. Those issues were: *Video Arraignment*, *Outsourcing Laboratory Testing* and *Performing Autopsies at the Sheriff’s Coroner’s Bureau*. The Board agreed that the three recommendations required further analysis. The studies were completed on time, and at the Board’s regular meeting on November 25, 2004, the following decisions were made: *Video Arraignment* **will not be implemented**; *Performing Autopsies at the Coroner’s Bureau* **will not be implemented**; *Outsourcing Laboratory Testing* to a contract facility **will be implemented**. The complete recommendations, responses and the Board’s decisions can be found on the Grand Jury website, www.sbcgj.org .

The 2004-2005 Grand Jury also found that the recommendation for better signage on Hollister Avenue and at the entrance to the Coroner’s Bureau **has been completed**. Signs are in place and readable.

**SUMMARY OF AGENCY RESPONSES
TO THE
2003-2004 GRAND JURY FINAL REPORT**

Red Ink Rising
A Look at Santa Barbara County's Finances

GRAND JURY FINDING 1	AGENCY RESPONSE
<p>County employee compensation is increasing at an unsustainable rate.</p>	<p><i>Santa Barbara County Board of Supervisors (BOS): Agrees in part.</i> "The Board recognizes that the County employee compensation rate has been increasing. In fact, during a particular time period in the past, employee compensation may have risen at an unsustainable rate. However, the County budget has balanced each and every year and the compensation rate has now stabilized. Moreover, the current FY 2004-05 Proposed Operating Plan (Budget) does not contemplate nor contain any funding for compensation increases except for the few employees covered by an existing Firefighter contract. Finally, as indicated in the 5 Year Forecast contained in the FY 2004-05 Proposed Budget, General Fund Revenues are projected to outpace the growth in General Fund compensation costs."</p>
GRAND JURY RECOMMENDATION 1	AGENCY RESPONSE
<p>Impanel an independent "Blue Ribbon" committee to conduct a comprehensive review of county employee compensation policies and practices. The Committee should report its findings and recommendations to the Board of Supervisors and also release its report to the public.</p>	<p><i>BOS: Will not be implemented.</i> "The recommendation will not be implemented at this time because it is not considered warranted. . . . [T]he current budget is balanced and contains no new employee compensation increases. Should a future Board of Supervisors determine a need for a comprehensive review of County employee compensation policies and practices, it could consider . . . a 'Blue Ribbon Committee' or alternatively, it could be conducted by the County Administrator, the elected Auditor-Controller and the independent Retirement System Administrator; each would allow for both an independent and public report.</p> <p>In addition, the Mission County Formation Review Committee will be evaluating County employee compensation costs as they relate to the proposed new county. . . . [T]he Board will consider whether an independent committee may be appropriate to study not only employee compensation issues, but the entire structure of our County government."</p>

Red Ink Rising
A Look at Santa Barbara County's Finances

GRAND JURY FINDING 2	AGENCY RESPONSE
<p>Privatization of some County functions could result in significant savings. However, in February 2003 the Board of Supervisors adopted a policy of Privatization Criteria that in effect eliminates the benefits of privatization.</p>	<p>BOS: Agrees and disagrees. Agrees that “. . . [P]rivatization . . . could result in significant savings. In fact, many County functions are provided by the private sector (including both non-profit and for-profit entities). . . . [D]uring FY 2003-04, the County was engaged in private sector contracts totaling over \$107 million.”</p> <p>Disagrees that “. . . [T]he Privatization Criteria adopted . . . `in effect eliminates the benefits of privatization.’ . . . The adopted Privatization Criteria provides a means by which the County would privatize services when warranted.</p> <p>The Grand Jury’s conclusion . . . is focused on the section of the Criteria dealing with privatization when it results in layoffs. The Criteria require that private contractors offer jobs to County employees laid-off as a result of privatization <u>but only</u> to those employees who currently have at least two overall performance ratings of satisfactory or above and then only when/if the contractor will be adding at least that same number of staff. . . . A contractor is also not required to offer County employees laid-off with their current salary and benefits but rather offer compensation `equivalent’ to the County’s as to an aggregate of wages, health insurance and retirement. Finally, overhead costs . . . could be reduced by a contractor.”</p>
<p>GRAND JURY RECOMMENDATION 2</p>	<p>AGENCY RESPONSE</p>
<p>The Board of Supervisors should rescind the Policy of Privatization Criteria.</p>	<p>BOS: Will not be implemented. “As the policy on Privatization Criteria has been in existence for less than 18 months, additional time is needed to determine its long term effectiveness; therefore, the recommendation will not be implemented at this time.”</p>

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GRAND JURY FINDING 3	AGENCY RESPONSE
<p>County retirement costs are increasing at an unacceptable rate.</p>	<p><i>BOS: Disagrees in part.</i> ". . . [T]he County retirement contribution rate has been increasing and is projected to increase over the next three years. However, after that point, the contribution rate should begin to decline. The rate is not a constantly increasing percentage of payroll; it in fact declined in the last actuarial experience study. . . . [A]bsolute dollar cost will increase as the payroll of covered employees increases, just as it would in a defined contribution retirement plan."</p> <p><i>Santa Barbara County Employees' Retirement System: Disagrees in part.</i> "It is accurate that the County Contribution rate is increasing, and will continue to increase over the next three years. However, after that point the contribution rate should then begin to decline toward a rate that represents the County's part of the cost for the additional year of accrued retirement benefits for the membership of SBCERS. . . . The rate is not a constantly increasing percentage of payroll. It in fact declined in the last actuarial experience study. It is true that absolute dollar cost will increase as the payroll of covered employees increases, just as it would in a defined contribution retirement plan."</p>
GRAND JURY RECOMMENDATION 3	AGENCY RESPONSE
<p>The Board of Supervisors should make every effort to retire the Defined Benefit Plan and implement a Defined Contribution Pension Plan.</p>	<p><i>BOS: Will not be implemented at this time.</i> ". . . As retirement benefits are subject to meet and confer provisions of collective bargaining with employee groups, it would be inappropriate for the Board to so conclude or so act at this time. Moreover, replacement of the defined benefit plan would require State legislation amending the California Government Code. Accordingly, the recommendation will not be implemented at this time."</p> <p><i>Santa Barbara County Employees' Retirement System:</i> "Implementation of the recommendation is the responsibility of the Board of Supervisors. . . .Replacement of the defined benefit plan would require an amendment to the California Government Code."</p>

Red Ink Rising
A Look at Santa Barbara County's Finances

GRAND JURY FINDING 4	AGENCY RESPONSE
<p>The County's financial planning process does not adequately take into account adverse economic conditions.</p>	<p><i>BOS:</i> Disagrees in part. "The Grand Jury Report was prepared prior to publication of the FY 2004-05 Proposed Budget. The Budget contains a 5-Year Financial Forecast that includes both discretionary revenue and expenditure projections with two scenarios--one assuming continuation of current local economic conditions and one assuming a loss of discretionary revenue due to continuing State budget difficulties."</p>
GRAND JURY RECOMMENDATION 4	AGENCY RESPONSE
<p>The County Administration should prepare an easy to understand, five-year financial plan that takes into account both the most likely economic outlook and downside economic projections.</p>	<p><i>BOS:</i> Has been implemented. ". . . [T]his recommendation has been implemented. . . . [T]he 5 Year Forecast is intended to be published at least twice a year"</p>

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***Wait a Doggone Minute!*
Animal Shelter Donations**

GRAND JURY FINDING 1	AGENCY RESPONSE
<p>Donations made directly to the animal shelters in Santa Barbara County go to Special Revenue Funds within the county's budget, and the funds cannot be re-directed for specific shelter uses.</p>	<p><i>Auditor-Controller: Agrees.</i></p> <p><i>Santa Barbara County Board of Supervisors for Santa Barbara County Animal Health and Regulation (Animal Shelters): Agrees.</i></p>
GRAND JURY RECOMMENDATION 1	AGENCY RESPONSE
<p>The County should proceed with the posting [of] a sign at each shelter clarifying that money donated to the shelters goes to the county's budget for shelter general operating expenses if not written to a charitable or volunteer organization.</p>	<p><i>Auditor-Controller:</i> ". . . [I]n December 2003, the Auditor-Controller's Internal Audit division issued a memo recommending that the Public Health Department train shelter staff regarding the routing of donations and that signs be placed at reception counters informing the public that donations . . . will be used in general operations of the shelter. Recent visits by Internal Audit staff to each of the three county shelters disclosed that signs had been posted at each location. . . . [A]udit staff interviewed counter personnel, each of whom was able to adequately explain donation requirements and restrictions."</p> <p><i>Santa Barbara County Board of Supervisors for Santa Barbara County Animal Health and Regulation (Animal Shelters):</i> ". . . [O]n June 18, 2004, the Animal Services Division issued policy number 3.46, titled: Acceptance of Donation at the Animal Shelters . . . which directs staff to provide information to the public on how shelter donations are used, requires a sign posted in the main office at each shelter, and provides a more detailed explanation of how donations to the shelter are accepted, processed, and used."</p>

Wait a Doggone Minute!
Animal Shelter Donations

GRAND JURY FINDING 2	AGENCY RESPONSE
<p>The shelters are not self-sustaining and run at a considerable cost to the County. Volunteer organizations contribute funding and hours which help offset these costs. Given current county deficits, care for animals can improve only to the extent as volunteer organizations can raise money.</p>	<p><i>Santa Barbara County Board of Supervisors for Santa Barbara Animal Health and Regulation (Animal Shelters): Agrees.</i></p>
GRAND JURY RECOMMENDATION 2	AGENCY RESPONSE
<p>To meet specific needs at the shelter, donations should be made to such organizations as SAVE, CAPA, ASAP, BUNS, or K-9 PALS, or the shelters' Animal Care Foundation. They will help provide the volunteer staff, the supplies, the medical care, and even housing to make it possible for stray and unwanted animals to survive and live better.</p>	<p><i>Santa Barbara County Board of Supervisors for Santa Barbara County Animal Health and Regulation (Animal Shelters):</i> "The County's animal shelters are not self-sustaining. They require County General Fund support, and are the fortunate beneficiary of the many members of the community who very generously contribute their time, money and other resources to the program."</p>

2004-05 Grand Jury Comments: All three shelters in Santa Barbara County now have posted signs in a visible area near a donations receptacle. Staff has been instructed as to how to respond to questions about donations from the public.

**Summary Of Agency Responses
To The
2003-2004 Grand Jury Final Report**

***Tilting at Windmills*
The Disconnect Between Santa Barbara School Districts
and
The Special Education Local Plan Area**

GRAND JURY FINDING 1	AGENCY RESPONSE
<p>Santa Barbara School Districts have not fully participated in the local SELPA [Special Education Local Plan Area] and JPA [Joint Powers Authority] meetings held in Santa Ynez. The Superintendent of SBSBD has offered to attend meetings, and the recently hired Director of Special Education will attend the coordinators' meetings.</p>	<p><i>Santa Barbara School Districts (SBSD):</i> <i>In accordance with California Penal Code Section 933(a), an agree or disagree response to a finding is required by the agency. None was submitted.</i></p>
GRAND JURY RECOMMENDATION 1	AGENCY RESPONSE
<p>The Superintendent should make every effort to attend JPA meetings on a regular basis, especially when policy or legal matters are discussed. If there are disputes with policy, representatives from the Districts need to bring them up at SELPA and JPA meetings and allow the group process to make the best decision for every district in the region</p>	<p><i>Santa Barbara School Districts (SBSD): Will be diligently implemented.</i> <i>"The Interim Superintendent . . . will attend the SELPA JPA meetings and participate as a board member. Concerns expressed by the Board of Education of the Santa Barbara School Districts will be communicated directly to the JPA board. [The] Director of Special Education . . . will attend the coordinators' meeting on a monthly basis and communicate as needed with teachers, staff and parents."</i></p>

Tilting at Windmills
**The Disconnect Between Santa Barbara School Districts
and
The Special Education Local Plan Area**

GRAND JURY FINDING 2	AGENCY RESPONSE
<p>Santa Barbara School Board has criticized SELPA and the JPA in matters of governance, legal proceedings, staff development, visibility and accountability. The SBSB Board of Trustees had not been informed of the role of SELPA in special education.</p>	<p><i>Santa Barbara School Districts (SBSD):</i> <i>In accordance with California Penal Code Section 933(a), an agree or disagree response to a finding is required by the agency. None was submitted.</i></p>
GRAND JURY RECOMMENDATION 2	AGENCY RESPONSE
<p>Board members should continue educating themselves about SELPA. Efforts should be made to learn about this operation within the context of the region. Special education staff needs to regularly update the Board on special education matters.</p>	<p><i>Santa Barbara School Districts (SBSD): Will be diligently implemented.</i> <i>"Board members have learned much about the operation of the SELPA during the course of this past school year through verbal presentations and written materials provided by the SELPA and SBSB staff. . . . At the board's request . . . [the] SELPA Director will provide the board with an annual report regarding the SELPA so that the board is receiving updates of SELPA activities on a more frequent basis The first of such reports will be completed by July 30, 2004."</i></p>

**SUMMARY OF AGENCY RESPONSES
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Learning Curve
Business Practices in Santa Barbara School Districts

GRAND JURY FINDING 1	AGENCY RESPONSE
<p>Fiscal accountability status requires that there be an internal auditor on staff to objectively assess the Districts' finances. SBSB leadership has failed to provide for an internal auditor, despite repeated requests from the County Office of Education to do so.</p>	<p><i>Santa Barbara School Districts (SBSB): Partially disagrees.</i> "The districts' independent auditors have recommended that the district hire an internal auditor (the district has not received 'repeated requests' from the Santa Barbara County Office of Education in this regard)."</p> <p><i>Santa Barbara County Office of Education (SBCEO): Partially disagrees.</i> ". . . The Feb. 28, 1985 Contract for Fiscal Accountability signed by the SBSB board and the Santa Barbara County Superintendent of Schools does not specifically require an internal auditor position. . . . [A] review has been conducted annually by a Certified Public Accounting firm approved to conduct school district audits in the state of California. . . . [O]ur office is comfortable with allowing the district to continue with Fiscal Accountability."</p>
GRAND JURY RECOMMENDATION 1a, 1b	AGENCY RESPONSE
<p>a. SBSB should immediately hire a qualified, full-time internal auditor.</p>	<p><i>SBSB:</i> ". . . On April 6, 2004, the district requested that the Santa Barbara County Education Office study the districts' Fiscal Accountability status and make a recommendation regarding this status. . . .</p> <p>. . . The Board of Education will review the SBCEO report and receive information regarding the task force's findings on Fiscal Accountability status at an upcoming regular board meeting. If the consensus is to maintain Fiscal Accountability status, then an internal auditor position will be filled."</p>

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<p>b. The County Office of Education should rescind Fiscal Accountability status if an internal auditor is not put in place.</p>	<p><i>SBCEO: Requires further analysis.</i> ". . . Over the next three months our office will meet with the SBSD and their external audit firm to determine the appropriate level of internal audit staff required to ensure our office can allow continuing authority for the districts to be fiscally accountable."</p>
<p>GRAND JURY FINDING 2</p>	<p>AGENCY RESPONSE</p>
<p>The combination of Fiscal Accountability status, dual district structure and no board resolution to administratively unify is unique in the state and creates vulnerability to mismanagement.</p>	<p><i>SBSD:</i> <i>In accordance with California Penal Code Section 933a, an agree or disagree response to a finding is required by the agency. None was specifically submitted.</i></p>
<p>GRAND JURY RECOMMENDATION 2</p>	<p>AGENCY RESPONSE</p>
<p>The Board should consider alternate scenarios: unification, separation or administrative unification under Education Code 35110, preferably with the advice of an expert. These scenarios should be compared to one another objectively and with an eye towards simplification and long-range planning.</p>	<p><i>SBSD:</i> "For a number of months, staff and board have discussed the possible passage of a single district resolution per Education Code 35110 which would in effect combine the districts. At the June . . . board meetings, the board discussed next steps and additional information that is needed The board also directed staff to seek expert assistance with the analysis. A proposal will be presented to the board in the near future"</p>

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GRAND JURY FINDING 3	AGENCY RESPONSE
<p>The SBSB Superintendent and board are considering adopting a resolution to create a single district with common administration under Education Code 35110. The proposal will have long-term consequences to the High School and Elementary School Districts, as well as surrounding "feeder" districts.</p>	<p>SBSB: <i>In accordance with California Penal Code Section 933a, an agree or disagree response to a finding is required by the agency. None was specifically submitted.</i></p>
GRAND JURY RECOMMENDATION 3	AGENCY RESPONSE
<p>The Jury recommends the Board continue to actively encourage public dialogue on this issue and its potential consequences. The Board should hold a public meeting inviting each "feeder district's" Board and PTA to attend.</p>	<p>SBSB: "At public board meetings in recent months, the board and staff have expressed the intention to schedule public hearings and meetings with representatives of feeder districts in the near future after additional information is collected and the independent review is completed. Additionally, the Superintendent or a designated representative from the County Office of Education will be invited to participate in this discussion."</p>
GRAND JURY FINDING 4	AGENCY RESPONSE
<p>Management of bond funds has, in the past, been assigned to already overworked employees. The assignment of a manager for bond funds would incur no cost since bond funds are specifically available for this prudent level of supervision.</p>	<p>SBSB: <i>In accordance with California Penal Code Section 933a, an agree or disagree response to a finding is required by the agency. None was specifically submitted.</i></p>

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GRAND JURY RECOMMENDATION 4	AGENCY RESPONSE
<p>The board should adopt a standard policy, in coordination with the SBSB Bond Oversight Committee, to utilize a professional to manage for bond funds and schedules for expenditures. This position would automatically occur whenever there are bond monies to manage.</p>	<p>SBSB: “. . . [The]Assistant Superintendent . . . has taken responsibility for the management of bond funds. . . . All records are up to date and have been presented to the Bond Oversight Committee on a monthly basis in recent months. . . . The board will also adopt a board policy making an accountant position an automatic occurrence whenever the need to manage bond monies arises”</p>
GRAND JURY FINDING 5	AGENCY RESPONSE
<p>Recently, the SBSB board has initiated new processes in union negotiations to comply with legal requirements.</p>	<p>SBSB: <i>In accordance with California Penal Code Section 933a, an agree or disagree response to a finding is required by the agency. None was specifically submitted.</i></p>
GRAND JURY RECOMMENDATION 5	AGENCY RESPONSE
<p>The Board should continue its new practices relating to union negotiations and bring the negotiating proposals to public light, especially as they affect the Districts’ budgets.</p>	<p>SBSB: “The Board will continue the practices that were put into place over the course of the past year in regards to union negotiations.”</p>

Learning Curve
Business Practices in Santa Barbara School Districts

GRAND JURY FINDINGS 6	AGENCY RESPONSE
<p>Many SBSB policies are not current.</p>	<p><i>SBSB:</i> <i>In accordance with California Penal Code Section 933a, an agree or disagree response to a finding is required by the agency. None was specifically submitted.</i></p>
GRAND JURY RECOMMENDATIONS 6	AGENCY RESPONSE
<p>The Board should update its policies and hold training workshops on policy and affected operations. The Board should renew its membership in the California School Boards Association. Such membership comes with access to valuable policy language and training workshops.</p>	<p><i>SBSB:</i> "Several years ago, staff began the process of updating and revising all of the board policies. . . . The board recently approved reinstating membership in CSBA. The consultant who assisted the district with the 4000-6000 series revisions will be hired to assist with the revisions and updates needed in the remaining sections of the board policy manual."</p>

**SUMMARY OF AGENCY RESPONSES
TO THE
2003-2004 GRAND JURY FINAL REPORT**

***Who Ya Gonna Call?*
Santa Barbara Coastal Vector Control District**

GRAND JURY FINDING 1	AGENCY RESPONSE
<p>Santa Barbara Coastal Vector Control District has not always provided enough information to public agencies in its efforts to enhance its role in local communities.</p>	<p><i>Santa Barbara Coastal Vector Control District (SBCVCD): Agrees.</i></p>
GRAND JURY RECOMMENDATION 1	AGENCY RESPONSE
<p>SBCVCD needs to make a dedicated effort to provide timely information about their services to the public and public agencies.</p>	<p><i>SBCVCD: Not yet fully implemented.</i> "The recommendation has not yet been fully implemented, but will be fully implemented in the near future, with a timeframe for implementation. . . . [T]he District is working towards ways to enhance its outreach to the general public and public agencies."</p>
GRAND JURY FINDING 2	AGENCY RESPONSE
<p>Cities in the North County have chosen to remain independent, relying on their own departments to face any health hazard. They do not see West Nile Virus as a threat.</p>	<p><i>SBCVCD: Agrees.</i></p> <p><i>City of Santa Maria: Disagrees partially.</i> "We agree that Cities in the North County have chosen to remain independent; however, we disagree that we do not see West Nile Virus as a threat. We perceive the approach of the West Nile Virus as a threat in North County but as a lesser threat here than in urban areas such as the South Coast"</p>

Who Ya Gonna Call?
Santa Barbara Coastal Vector Control District

	<p><i>City of Buellton: Disagrees.</i> "We disagree with the statement that we do not see West Nile Virus as a threat. We perceive the approach of West Nile Virus as a threat in the North County, but to a much lesser degree than in the South County"</p> <p><i>City of Lompoc: Agrees.</i></p>
<p>GRAND JURY RECOMMENDATION 2</p>	<p>AGENCY RESPONSE</p>
<p>Before any summer outbreak, the cities of Buellton, Lompoc and Santa Maria need to reassure their citizens that they have a mechanism in place to safeguard the public welfare, and monitor and control disease-carrying vectors, even on private properties.</p>	<p><i>Santa Barbara Coastal Vector Control District: Not yet fully implemented.</i> "The recommendation has not yet been fully implemented, but will be implemented in the near future, with a timeframe for implementation.</p> <p>. . . [T]he Governor signed Assembly Bill 1454, on May 14, 2004. The Bill requires that jurisdictions without organized mosquito control have two options for combating a West Nile Virus outbreak. Their mosquito abatement programs must be performed by an existing agency (the District) that is a party to the Cooperative Agreement with the California Department of Health Services (DHS) or done in direct consultation with DHS.</p> <p>Faced with the requirements of AB 1454 the North County cities might well prefer to be annexed rather than work with DHS [Department of Health Services].</p> <p>. . . With the annexation of the City of Santa Barbara [by SBCVCD] completed, the entire process was developed into a model that could be used by each of the remaining cities not within the District. The District will make preliminary contact with each City Manager and City Councils of Buellton, Lompoc, Santa Maria, Guadalupe, and Solvang regarding the proposed annexation model by January 1, 2005."</p> <p><i>City of Santa Maria: Requires further analysis.</i> ". . . [I]t is the responsibility of public health agencies to educate the public about health concerns. The City stands ready to assist in this regard. The City's primary services include police and fire protection, and we strive to provide safe roads, sidewalks, and intersections.</p>

Who Ya Gonna Call?
Santa Barbara Coastal Vector Control District

There have been no reported cases of West Nile Virus on the Central Coast this year. To our north, San Luis Obispo County monitors a flock of sentinel chickens with testing every two weeks. To our south, a similar testing process is conducted. . . . [S]taff from our Recreation and Parks Department as well as our Fire Department are aware of the West Nile Virus, and we have attended training and obtained training material specific to this disease. The City will also educate the public by making pamphlets on prevention and control available to the public upon request.

. . . In the past, the City has developed an emergency response policy for vector control type issues In the event that a mosquito-borne disease outbreak occurs, Santa Maria will utilize the California Department of Health Services, Operational Plan for Emergency Response to Mosquito-Borne Disease Outbreaks as our guide, in addition to calling upon other appropriate agencies for assistance. "

City of Buellton: Disagrees.

"We feel it is the responsibility of state and county public health agencies, and not the City of Buellton, to educate the general public as to health concerns. We will, however, continue to monitor the threat of West Nile Virus and will take preventive measures as necessary to insure the safety of our residents. Staff has attended meetings pertaining to vector control issues and has relative information available to the public upon request.

In the event that a mosquito-borne disease outbreak occurs, the City of Buellton will utilize the California Department of Health Services, Operational Plan for Emergency Response to Mosquito-Borne Disease Outbreaks as our guide, in addition to calling upon other appropriate state and county agencies for assistance."

City of Lompoc: Has been implemented.

". . . Lompoc has taken the approach of educating the public by making pamphlets on prevention and control available upon request. In the event that a mosquito-borne disease outbreak occurs, Lompoc will utilize the California Department of Health Service, Operational Plan for Emergency Response to Mosquito-Borne Disease Outbreaks as our guide."

**SUMMARY OF AGENCY RESPONSES
TO THE
2003-2004 GRAND JURY FINAL REPORT**

Go With the Flow
Goleta Sanitary District's Wastewater Treatment

GRAND JURY FINDING 1	AGENCY RESPONSE
<p>Goleta Sanitary District has not surveyed its customers as to their opinion regarding an upgrade to full secondary and the rate increase an upgrade would incur.</p>	<p><i>Goleta Sanitary District: Agrees.</i></p>
GRAND JURY RECOMMENDATION 1	AGENCY RESPONSE
<p>Goleta Sanitary District should take a survey of its customers to answer questions regarding what they would support with respect to an upgrade to full secondary treatment of wastewater.</p>	<p><i>Goleta Sanitary District: Requires further analysis.</i> ". . . The District is currently in the process of developing a public outreach program with respect to the issue of full secondary treatment. . . . The program may also include formal or informal surveys. In order for such a survey to be meaningful, it is essential that those responding to the survey be adequately informed"</p>
GRAND JURY FINDING 2	AGENCY RESPONSE
<p>Goleta Sanitary District faces a critical hearing with the Regional Water Quality Control Board in October 2004. The issue is whether to continue court action to retain the 301 (h) Waiver or upgrade to full secondary.</p>	<p><i>Goleta Sanitary District: Agrees.</i></p>

Go With the Flow
Goleta Sanitary District's Wastewater Treatment

GRAND JURY RECOMMENDATION 2	AGENCY RESPONSE
<p>The Grand Jury urges Goleta Sanitary District to include long-range conversion plans to full secondary in its Master Plan.</p>	<p><i>Goleta Sanitary District: Requires further analysis.</i> ". . . The Goleta Sanitary District is actively working with the Regional Water Quality Control Board to explore options for converting the District's treatment process to secondary treatment over time, while enabling the District to utilize the full remaining useful life of its existing facilities. . . . At such time as a final decision is made with regard to a conversion to secondary treatment, the District's Master Plan can be updated as necessary to address the conversion."</p>

2004-05 Grand Jury Comments: Following the October 2004 hearing with the Regional Water Quality Control Board, Goleta Sanitary District agreed to upgrade its effluent processing treatment over the next ten years as part of its Master Plan.

**SUMMARY OF AGENCY RESPONSES
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Nobody's Dream House
Santa Barbara Community Planning and Development

GRAND JURY FINDING 1	AGENCY RESPONSE
<p>The project contained numerous code violations on a non-conforming lot. It should never have been given a ministerial permit without appropriate review process.</p>	<p><i>Santa Barbara City Council for the Santa Barbara Community Development Department (SBCDD): Agrees.</i></p>
GRAND JURY RECOMMENDATION 1	AGENCY RESPONSE
<p>No ministerial permit should be granted in neighborhoods with non-conforming lots.</p>	<p><i>Santa Barbara City Council for SBCDD: Will not implement.</i> "Non-conforming situations occur when . . . standards change. . . . These changes in standards have resulted in thousands of properties being non-conforming. . . . [A]pproximately 45% of residentially zoned land in the City was rezoned to be more restrictive as to lot size, setbacks and other standards. . . . Prohibiting the issuance of ministerial permits to non-conforming lots would create a severe hardship on both the affected property owners and the City, as there are thousands of properties that are nonconforming to some zoning standard."</p>
GRAND JURY FINDING 2	AGENCY RESPONSE
<p>Based on a past working relationship with the architect, the planner assumed the information supplied for this project was accurate and conforming to code.</p>	<p><i>Santa Barbara City Council for SBCDD: Disagrees.</i> ". . . Standard practices among planning agencies and building departments throughout the State and County is to rely on the work of licensed professionals. The plans were reviewed by the various departments within the City for accuracy and conformance to code requirements with reliance on the accuracy of the information provided"</p>

Nobody's Dream House
Santa Barbara Community Planning and Development

GRAND JURY RECOMMENDATION 2	AGENCY RESPONSE
<p>Planners should not assume information provided them is correct without personally verifying the information for accuracy.</p>	<p><i>Santa Barbara City Council for SBCDD: Will not implement.</i> "The implementation of this recommendation is unreasonable. . . . The City processes more than 3000 building permits a year, not including resubmittals and revisions. Requiring planners to personally verify all of the information submitted and do field checks is unnecessary. . . . However, due to staff's heightened awareness of creek issues, a survey of the top-of-bank is now required for new development within 50 feet of the top-of-bank of Mission Creek."</p>
GRAND JURY FINDING 3	AGENCY RESPONSE
<p>The complainant's concerns were not immediately taken seriously.</p>	<p><i>Santa Barbara City Council for SBCDD: Partially disagrees.</i> "Although the City disagrees that the complainant's concerns were not taken seriously, the City does agree that more research should have occurred as part of the review of the complaint. . . . However, at the time, all of the information submitted appeared to be accurate and there was no apparent evidence that supported the complaint. Once a site visit was done by a building inspector, and additional concerns were raised . . . , a 'stop work' order was issued"</p>
GRAND JURY RECOMMENDATION 3	AGENCY RESPONSE
<p>The SBCDD should have a system that reviews, routes and tracks complaint issues to appropriate departments. Department heads should jointly review complex and controversial types of complaints.</p>	<p><i>Santa Barbara City Council for SBCDD: Has implemented.</i> "The City Administrator's Office has a city-wide complaint and response system, and the Community Development Department also has a comprehensive complaint and enforcement system. The complaint review process documents, reviews, tracks, and routes complaints to the appropriate departments [T]eams composed of staff from various departments may be involved in the resolution of the complaints."</p>